

# City of Arkansas City

## CITY COMMISSION MEETING

### MINUTES

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Tuesday, August 16, 2022 at 5:30 PM – 118 W Central Ave, Arkansas City, KS

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#### Routine Business

1. Roll Call

#### **PRESENT**

Commissioner Charles Jennings  
Commissioner Scott Rogers  
Commissioner Diana Spielman  
Commissioner Jay Warren  
Mayor Kanyon Gingher

Also present: City Manager Randy Frazer, City Attorney Larry Schwartz, Police Chief Eric Burr, Deputy City Clerk Tiffany Parsons, Principal Planner Josh White, and Emergency Management Coordinator Bob Frazee.

2. Opening Prayer and Pledge of Allegiance were led by Ethan Mehalchick.
3. There were no additions or deletions to the agenda.
4. Approval of the Agenda

Motion made by Commissioner Spielman, Seconded by Commissioner Warren to approve the agenda as amended.

Voting Yea: Commissioner Jennings, Commissioner Rogers, Commissioner Spielman, Commissioner Warren, Mayor Gingher. Mayor Gingher declared the motion approved.

#### Comments from the Audience for Items Not on the Agenda

Jose Garcia, 1002 S 1st, Arkansas City, addressed the commission regarding the zoning change on the property located at 405 S. 3rd Street. It was the consensus of the commission that Mr. Garcia address this concern with the Planning Commission.

#### Consent Agenda

Note: All matters listed below on the Consent Agenda are considered under one motion and enacted by one motion. There should be no separate discussion. If such discussion is desired, any item may be removed from the Consent Agenda and then considered separately under Section VII: New Business.

Motion made by Commissioner Warren, Seconded by Commissioner Rogers to approve the consent agenda as presented.

1. Approve the August 2, 2022 regular meeting minutes and the August 2, 2022 special meeting minutes as written.

Voting Yea: Commissioner Jennings, Commissioner Rogers, Commissioner Spielman, Commissioner Warren, Mayor Gingher. Mayor declared the consent agenda approved.

## New Business

### Ordinances for Consideration

1. Deputy City Clerk Parsons presented for consideration first reading of an ordinance authorizing the rezoning of 405 S 3rd Street, from C-3 (General Commercial District) to R-1 (Low Density Residential District). Principal Planner Josh White briefly discussed the request for the rezone made by owner's Jose and Corinna Garcia to convert former Alcohols Greenhouse building into a dwelling. Previously presented to the Planning Commission on Tuesday July 12<sup>th</sup>, to from a C-3 (General Commercial District) to a R-3 (High Residential District) resulted in the recommendation to rezone to a R-1 (Low Density Residential District) upon citizen concerns. Staff recommends moving forward with the rezone to a R-3 (High Residential District) to match the current zone of surrounding properties and overall density of the district. Zoning map of the property and surrounding district was presented to the commission. Dustin Schuetz, 2115 W Cedar Crest Ct., spoke before the commission in support of the rezone to R-3 (High Density Residential District).

Motion made by Commissioner Rogers, Seconded by Commissioner Warren to approve the Ordinance authorizing the rezone of 405 S 3rd Street, from C-3 (General Commercial District) to R-3 (High Density Residential District).

Roll Call Voting Yea: Commissioner Jennings, Commissioner Rogers, Commissioner Spielman, Commissioner Warren, Mayor Gingher. Mayor Gingher declared the motion approved and given **Ordinance No. 2022-08-4558.**

### Resolutions for Consideration

1. Deputy City Clerk Parsons presented for consideration a Resolution authorizing the City of Arkansas City to enter a contract with Utility, Inc., Decatur, GA, for twenty-seven (27) body worn cameras with an upfront fee not to exceed \$54,000 for 2022, and \$150,000 over 5-years. Police Chief Burr came before the commission highlighting the positive impact this body worn camera system would have on the department and community, then went on to review the bid comparison. Three bids were considered from Utility, Inc., Axon Enterprise, Inc., and Motorola Solutions. Burr noted that this purchase item is budgeted for this year, including a \$25,000 federal grant reimbursement recently acquired through American Rescue Plan Act. Previously budgeted funds made up the remainder for 2022. The proposed budget has already been requested for 2023.

Motion made by Commissioner Spielman, Seconded by Commissioner Rogers to approve contract with Utility, Inc., Decatur, GA, for twenty-seven (27) body worn cameras with an upfront fee not to exceed \$54,000 for 2022, and \$150,000 over 5-years.

Voting Yea: Commissioner Jennings, Commissioner Rogers, Commissioner Spielman, Commissioner Warren, Mayor Gingher. Mayor Gingher declared the motion approved and given **Resolution No. 2022-08-3496.**

2. Deputy City Clerk Parsons presented for consideration a Resolution authorizing the City of Arkansas City to purchase a tornado siren, that will replace the current siren located in the 500 block of South 6th Street, from Precision Communications, Aberdeen, MS, for an amount not to exceed \$19,640.39. Police Chief Burr and Emergency Management Coordinator Bob Frazee addressed this item to the commission. The three bids received were from Emergency Fire Equipment, CDL Eclectic and Precision Communications. Staff recommends the lowest bidder, Precision Communications. Frazee explained that the new siren is

battery operated and includes a speaker which is an upgrade from the existing the 1977 siren. Dustin Schuetz, 2115 W Cedar Crest Ct., spoke before the commission addressing his concerns.

Motion made by Commissioner Warren, Seconded by Commissioner Spielman to authorize the City of Arkansas City to purchase a tornado siren, that will replace the current siren located in the 500 block of South 6th Street, from Precision Communications, Aberdeen, MS, for an amount not to exceed \$19,640.39.

Voting Yea: Commissioner Jennings, Commissioner Rogers, Commissioner Spielman, Commissioner Warren, Mayor Gingher. Mayor Gingher declared the motion approved and given **Resolution No. 2022-08-3497.**

#### Other Items for Consideration

3. Deputy City Clerk Parsons presented for consideration a selection of three (3) voting delegates and three (3) alternates to the 2022 League of Kansas Municipalities (LKM) Annual Business Meeting to be held on Monday, October 10, 2022.

City Manager Frazer mentioned that Commissioner Warren, Commissioner Jennings, and Mayor Gingher, along with himself, have signed up to attend the League of Kansas Municipalities (LKM) Annual Business Meeting.

Motion made by Commissioner Warren, Seconded by Commissioner Rogers to appoint Commissioner Warren, Commissioner Jennings, and Mayor Gingher as voting delegates, with City Manager Frazer, Commissioner Rogers, and Commissioner Spielman as alternates.

Voting Yea: Commissioner Jennings, Commissioner Rogers, Commissioner Spielman, Commissioner Warren, Mayor Gingher. Mayor Gingher declared the motion approved and given.

### **Staff Report Presentations**

#### Department Reports

1. Review and discuss possible implementation of Special Use Vehicles Ordinance.

City Manager Frazer presented the item for discussion. Stating that the initial request from a citizen came about a year in a half to two years ago now. Chief Burr was asked to gather information from other municipalities that have adopted and implement Special Use Vehicle Ordinance.

Chief Burr presented an ordinance draft to the Commission based off the City of Andover's policy as being the best option he found as they cover golf carts, UTV's, ATV's and micro utility vehicles. Burr spoke of his concerns for safety including lighting, in addition to being cautious of where in the city these vehicles should be allowed. State Statute prohibits these vehicles from being driven on a Kansas highway which includes Summit Street, however, Burr reiterated that crossing Summit Street would be acceptable. Burr stated that he would like to gain more community feedback. Commissioner Rogers recommended setting up a work session and a public hearing to involve community members and allow for further discussion.

Mayor Gingher opened the floor to the audience for discussion. Carl Bowman 6425 304<sup>th</sup> Rd, who started this discussion with the City Manager two years ago, is in favor of implementing a Special Use vehicle Ordinance but also believes they ATV's & UTV's are safe enough to be allowed on Summit Street. Susan Cochran who resides 6 miles East of Arkansas City, is in favor and would like to navigate through town to get groceries and other supplies. Paul Grantham who lives south of town and works all over the U.S., mentioned that many states allow utility vehicles with a one-time permit. Paul is in favor. Tim Marr, President of the local off-road club, stated that Oklahoma allows them on the highway being tagged and

insured. Tim is also in favor. Wes Cochran is in favor and would also like to ride north and south on Summit Street to get to work. Several others spoke before the commission in favor.

City Manager Frazer provided the commission with the following reminders and updates:

- Fire Chief Parks Retired, Friday August 13<sup>th</sup> 2022, was his last day. Interviews for Fire Chief have been completed and a decision made shortly.
- Large main break at Kansas Ave. and 8<sup>th</sup> Street is complete and fixed.
- North Summit Street striping show begin tomorrow and finish by Thursday
- The August 17<sup>th</sup> KANPAC training has been rescheduled. City Manager Frazer will share the new date as soon as it is available.
- PEC would like to present the water master plan at the September 2nd work session.
- 2022 Kansas Housing Conference is August 30<sup>th</sup> – September 1<sup>st</sup> in Wichita, Kansas. City Manager Frazer will be attending.
- Kansas League of Municipalities (LKM) Annual Conference is October 8-10, 2022, in Overland Park, Kansas.

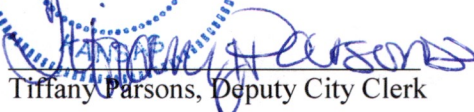
### Adjournment

Motion made by Commissioner Warren, Seconded by Commissioner Spielman to adjourn the meeting.

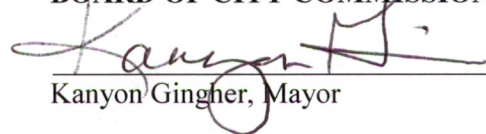
Voting Yea: Commissioner Jennings, Commissioner Rogers, Commissioner Spielman, Commissioner Warren, Mayor Gingher



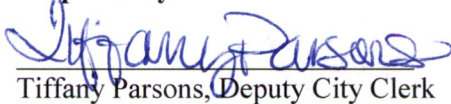
**ATTEST:**

  
Tiffany Parsons, Deputy City Clerk

**THE CITY OF ARKANSAS CITY  
BOARD OF CITY COMMISSIONERS**

  
Kanyon Gingher, Mayor

**Prepared by:**

  
Tiffany Parsons, Deputy City Clerk